UNITED ST	TATES DIST	TRICT C	OURT
WESTERN	DISTRICT	OF NEV	V YORK

RAKIM YANCEY, 17B3223

Plaintiff,

V

DECLARATION OF SPENCER L. ASH, ESQ. IN SUPPORT OF DISMISSAL

TIMOTHY PANCOE, BRADLEY PIKE, CHRISTOPHER KOSCH,

Civ. Action No. 20-cv-6149

Defendants.

Spencer L. Ash, Esq., declares and says, under penalty of perjury:

- 1. I am an Attorney with the City of Rochester's Law Department, admitted to practice law in the State of New York and before the Western District of New York and I am fully familiar with all of the facts and circumstances surrounding this matter, including those set forth herein.
 - 2. This Declaration is made in support of Defendants' Motion to Dismiss.
 - 3. Plaintiff was arrested on March 13, 2017. See Exhibit A, Complaint.
- 4. Plaintiff's Complaint was served on the Sheriff's Office on May 22, 2020 and the Defendants were not served until May 27, 2020. See Exhibit A.
- 5. Plaintiff has provided no evidence that he personally served any of the individual defendants within the three (3) year statute of limitations.

DATED: June 11, 2020 TIMOTHY R. CURTIN CORPORATION COUNSEL

/S/Spencer L. Ash

BY: Spencer L. Ash, of Counsel
Attorneys for Defendants
City Hall Room 400A, 30 Church Street
Rochester, New York 14614
(585) 428-6699

To: Rakim Yancey 17b3223 Attica Correctional Facility PO Box 149 Attica, NY 14011